



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

December 07, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

36 DECEMBER 7, 2010

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION
SANITARY SEWER EASEMENT WEST OF SUNNY OAKS CIRCLE
UNINCORPORATED COMMUNITY OF ALTADENA
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

This action will allow the County of Los Angeles to vacate an easement for sanitary sewer purposes west of Sunny Oaks Circle in the unincorporated community of Altadena, which is no longer needed for public use. The vacation has been requested by Frederick W. Boot, on behalf of his neighbors and himself, to enhance their property and provide an additional building area.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this action is categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that the easement for sanitary sewer purposes west of Sunny Oaks Circle in the unincorporated community of Altadena has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation and that it may, therefore, be vacated pursuant to Section 8333(a) of the California Streets and Highways Code.
3. Find that the easement for sanitary sewer purposes west of Sunny Oaks Circle has been determined to be excess by the easement holder, the County of Los Angeles, and there are no other public facilities located within the easement and that it may, therefore, be vacated pursuant to Section 8333(c) of the California Streets and Highways Code.

4. Adopt the Resolution of Summary Vacation.

5. Upon approval, authorize the Department of Public Works to record the certified original resolution with the office of the Los Angeles County Registrar Recorder/County Clerk.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles (County) to vacate the easement for sanitary sewer purposes (Easement) west of Sunny Oaks Circle in the unincorporated community of Altadena, since it no longer serves the purpose for which it was dedicated and is not required for public use.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The vacation of the Easement will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The vacation of the Easement will not have a negative fiscal impact on the County's budget. The applicant has paid a \$2,000 fee to defray the expense of the investigation. This amount has been deposited into the Road Fund. The fee was authorized by the County Board of Supervisors (Board) in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 16,657 square feet and is shown on the map that is attached to the enclosed Resolution of Summary Vacation. Frederick W. Boot, on behalf of his neighbors and himself, requested the vacation of the Easement to enhance their property and allow for improvements. The vacation of the Easement provides an additional building area.

The California Streets and Highways Code Section 8333(a) and (c) provides that the legislative body of a local agency may summarily vacate a public service easement in either of the following cases: The easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation or the easement has been superseded by relocation or determined to be excess by the easement holder, and there are no other public facilities located within the easement. Both of these provisions apply to the subject sewer easement west of Sunny Oaks Circle.

The County's interest in the Easement was acquired by dedication in Tract No. 14324, recorded in Book 305, pages 46 and 47, of Maps, in the office of the Los Angeles County Registrar-Recorder/County Clerk as an easement for sanitary sewer purposes.

Adoption of the enclosed resolution and the subsequent recordation will terminate the County's rights and interests in the Easement. Your action will result in the property being unencumbered by the Easement and available to the property owner for use without restriction of the Easement.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of the CEQA as specified in Sections 15305 and 15321 of the State CEQA Guidelines, which state that this class of projects consisting of minor alterations in land use, limitations, and actions to revoke entitlement for use, issued and adopted by the regulatory agency, have been determined not to have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for additional property taxes through the vacation of the unnecessary sewer easement.

CONCLUSION

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER
Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office
County Counsel
Executive Office

**RESOLUTION OF SUMMARY VACATION
SANITARY SEWER EASEMENT WEST OF SUNNY OAKS CIRCLE**

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of an easement for sanitary sewer purposes (hereinafter referred to as the Easement) in, over, and across the real property legally described in Exhibit A and depicted on Exhibit B, both attached hereto. The Easement, west of Sunny Oaks Circle, is located in the unincorporated community of Altadena in the County of Los Angeles, State of California.
2. The Easement has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation.
3. The Easement has been determined to be excess, and there are no other public facilities located within the easement.
4. The Easement is hereby vacated pursuant to Chapter 4, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8330.
5. The Department of Public Works is authorized to record the certified original Resolution in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, at which time the Easement will no longer be a public easement.
6. From and after the date this Resolution is recorded, the Easement will no longer constitute a public service easement.

[illegible]

The foregoing Resolution was on the 7th day of December, 2010, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.



SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By 
Deputy

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

By 
Deputy

GT:mr
P:\mppub\admin\maria\W SUNNY OAKS RESOLUTION ENC.doc

EXHIBIT A

Project Name: **SANITARY SEWER EASEMENT WEST
OF SUNNY OAKS CIRCLE1 1VAC**

A.I.N. 5843-016-002 to 015 and 020 to 023
5844-023-001 to 002 and 014 to 015

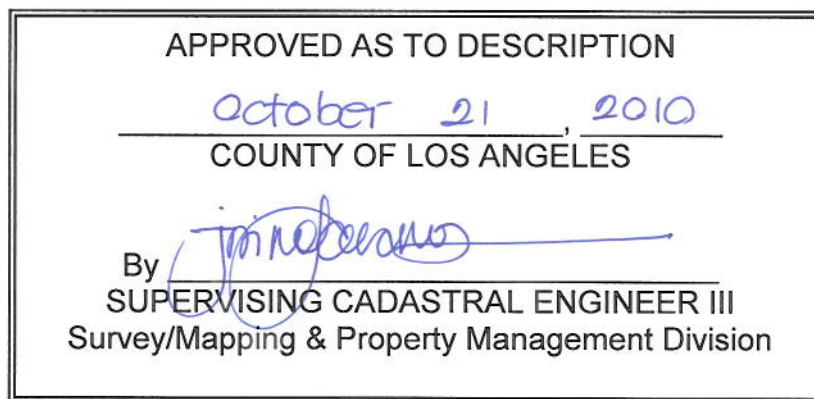
T.G. 536-B5
I.M. 174-237
R.D. 514
S.D. 5
M0591103

Legal Description

PARCEL NO. 1-1VAC: (Vacation of easement)

Those portions of Lot 11, Lots 13 to 32, inclusive, and Lot 60, all of Tract No. 14324, as shown on map recorded in Book 305, pages 46 and 47, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, designated as "Easements to County of Los Angeles for Sanitary Sewer Purposes", on said map.

Total Area: 16,657 ± square feet



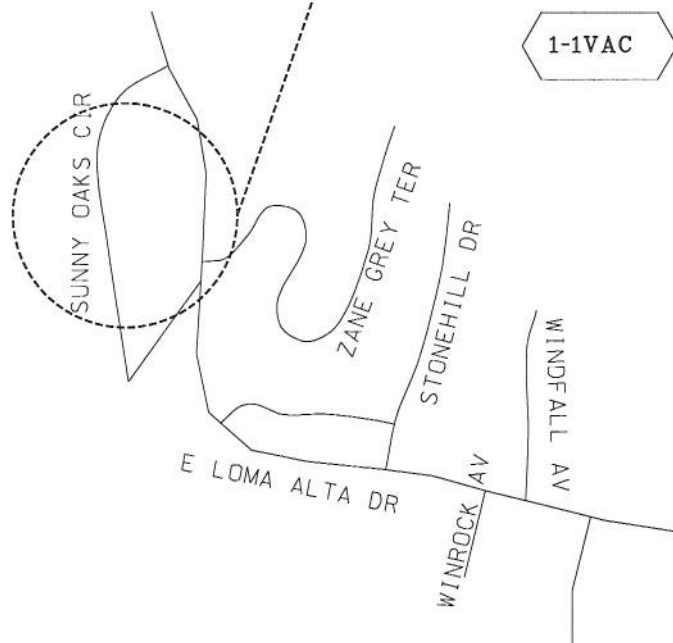
This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.

NS:mr

P:\mppub\admin\5 r w\LD W SUNNY OAKS



**SUBJECT
LOCATION**



1-1VAC

RUBIO

WASH

SUNNY OAKS

LOMA ALTA DR

EXHIBIT B

LEGEND



Area to be vacated
16,657 +/- s.f.

REVISIONS

1. 06-14-10

2. 10-06-10

3.

DEPARTMENT OF PUBLIC WORKS

SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION

SD.
5

RD.
514

A.I.N.
5843-016-002 to 015
5844-023-001 to 002,
014 to 015

T.G.
536-B5

**SEWER EASEMENT
W/O
SUNNY OAKS CIR**

DRAWING NO.
M0591103

SCALE
NONE

DATE
08-29-05

I.M.
174-237